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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA	:	Hon. Stanley R. Chesler
v.	:	Criminal No. <i>08-328</i>
Michael Rodrigues	:	CONSENT JUDGMENT AND PRELIMINARY
	:	ORDER OF FORFEITURE

This matter having been opened to the Court by Christopher J. Christie, United States Attorney for the District of New Jersey (Assistant United States Attorney Marion Percell, appearing), for the entry of a consent judgment and preliminary order of forfeiture, and defendant Michael Rodrigues (Gerald Saluti, Esq., appearing) having consented to the request; and the Court having found that:

WHEREAS, in accordance with the Plea Agreement filed on or about May 5, 2008, entered into between the United States of America and defendant Michael Rodrigues in the above matter, the defendant, pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), has agreed to forfeit to the United States the following property:

1. One Stag Arms Stag-15 .223 caliber rifle with a defaced serial number, loaded with multiple rounds;
2. One Beretta 3032 Tomcat .32 caliber pistol, serial number DAA344669, loaded with 5 rounds;
3. One Desert Eagle .50 caliber pistol with serial number 32205140, loaded with 6 rounds;
4. One Cobrayo PM11 9 mm. pistol, serial number 94-0023763, loaded with 10 rounds;
5. One PW Arms 9 mm. pistol, serial number KO-22-652, loaded with 4 rounds;
6. One Raven Arms P-25 .25 caliber pistol, serial number 153367, loaded with 3 rounds;
7. One Century International Arms, Inc. AK-47 "Zastava-Kragujevac Yugoslavia" 7.62 x 39 caliber rifle, serial number M70AB2, loaded with multiple rounds;
8. 496 hollow point Winchester .38 caliber rounds (147 grains);
9. 12 hollow point 9mm Luger rounds;
10. 27 full metal jacket Remington .38 caliber rounds;
11. 27 full metal jacket Remington .223 caliber rounds;
12. 399 full metal jacket Remington 9 mm. Luger rounds (115 grains);
13. 60 hollow point Speer 9 mm. Luger rounds;
14. 334 full metal jacket .22 long rifle rounds;

15. 51 full metal jacket 7.62 x 39 rounds; and
16. 11 hollow point Speer .50 caliber rounds
(hereinafter collectively the "Forfeited Firearms and
Ammunition"); and

WHEREAS defendant Michael Rodrigues has specifically
acknowledged notice of the criminal forfeiture, consented to the
entry of a Consent Judgment and Preliminary Order of Forfeiture,
and waived his right to be present and heard on the timing and
form of this order pursuant to Federal Rules of Criminal
Procedure 32.2(a) and 43(a); and

WHEREAS defendant Michael Rodrigues has agreed not to
contest the forfeiture of the above referenced property;

WHEREAS by virtue of the above, the United States is
now entitled to possession of the Forfeited Firearms and
Ammunition pursuant to 18 U.S.C. § 924(d)(1), 28 U.S.C.
§ 2461(c), and Rule 32.2 of the Federal Rules of Criminal
Procedure; and

WHEREAS defendant Michael Rodrigues has waived and
abandoned all right, title, and interest in the Forfeited
Firearms and Ammunition, and defendant Michael Rodrigues has
further waived, released and withdrawn any claim that defendant
may have made with respect to the Forfeited Firearms and
Ammunition, and waived and released any claim that defendant
might otherwise have made to that property in the future; and

WHEREAS defendant Michael Rodrigues having consented to the destruction of the Forfeited Firearms and Ammunition, and for good and sufficient cause shown,

It is hereby **ORDERED, ADJUDGED, AND DECREED:**

1. That the Forfeited Firearms and Ammunition is to be held by any authorized agency of the United States in its secure custody and control;

2. That pursuant to applicable law the United States forthwith shall publish at least once for three successive weeks in a newspaper of general circulation, notice of this Order, notice of the United States' intent to dispose of the Forfeited Firearms and Ammunition in such manner as the Attorney General may direct, and notice that any person, other than the defendant, having or claiming a legal interest in the Forfeited Firearms and Ammunition must file a petition with the court within thirty (30) days of the final publication of notice or of receipt of actual notice, whichever is earlier;

3. That this notice: (a) shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the Forfeited Firearms and Ammunition; (b) shall be signed by the petitioner under penalty of perjury, and (c) shall set forth the nature and extent of the petitioner's right or interest in the Forfeited Firearms and Ammunition and any additional facts supporting the petitioner's

claim and the relief sought;


4. That the United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the Forfeited Firearms and Ammunition that is the subject of this Consent Judgment and Preliminary Order of Forfeiture, as a substitute for published notice as to those persons so notified; and

5. That upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture authorizing the United States to destroy the Forfeited Firearms and Ammunition.

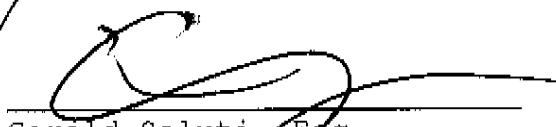
ORDERED this 5 day of May, 2008.


HONORABLE STANLEY R. CHESLER
United States District Judge

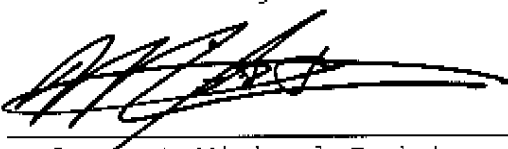
CHRISTOPHER J. CHRISTIE
UNITED STATES ATTORNEY


By: MARION PERCELL
Assistant U.S. Attorney

Dated: May 2, 2008


Gerald Saluti, Esq.
Counsel for the Defendant
Michael Rodrigues

Dated: May 5, 2008


Defendant Michael Rodrigues

Dated: May 5, 2008